

REMARKS/ARGUMENTS

Claims 1-30 contain embodiments directed to following patentably distinct species of the claims invention:

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A. One embodiments drawn to an in-plane switching mode liquid crystal display comprising a plurality of first electrodes formed in each of the pixels wherein each of the first electrodes contains a plurality of first electrode offshoots; and a plurality of second electrodes formed in each of the pixels wherein each of the second electrodes covers at least one of the first electrode offshoots in each of the pixel, [figs. 5 & 8; claims 1-12 & 25-27].

15 B. Another embodiment drawn to an in-plane switching mode liquid crystal display comprising a plurality of first electrodes formed in each of the pixels wherein each of the first electrodes contains a plurality of first electrode offshoots; a plurality of capacitor electrodes arranged parallel with the first electrode offshoots in the pixel, each of the pixels comprising at least one of the capacitor electrodes; and a plurality of second electrodes wherein each of the second electrodes covering at least one of the capacitor electrodes formed in each of pixels, [figs. 7-8; claims 13-24 & 28-30].

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Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, none of claims is generic.

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30 Applicant is advised that the reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An

arrangement that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

5 Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent from or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP §809.2(a).

10 Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 15 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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Response:

The applicant hereby makes a provisional election of *Species B* for prosecution on the merits in response to the above election requirement. The claims readable on the elected *Species B* are claims 13-24, and 28-30.

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However, applicant has amended claim 13 and added claims 31-33 in an attempt to traverse the restriction requirement, wherein claims 31-33 are all dependent upon claim 13. Claim 13 is amended to remove redundant limitations and describe the positions of the capacitor electrodes. Since the detailed structure of the capacitor electrodes and relative positions between the capacitor electrodes and other elements are not limited in claim 13, claims 31-33 are added for providing evidence showing the species A and B to be obvious variants. Claim 31 describes that each of the

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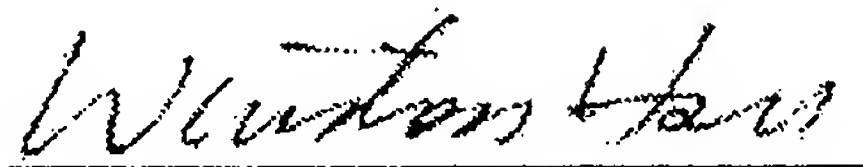
capacitor electrodes could be a portion of one of the first electrode, such as being the first electrode offshoot, while claim 32 describe that each capacitor electrode is electrically connected to a first electrode, as shown in Figs.4-5. Claims 31-32 are fully supported in para. [0025]-[0028] of the specification. Furthermore, claim 33 describes
5 each capacitor electrode is electrically connected to an adjacent scan line, which is positioned at one side of the corresponding pixel .

*The main spirit of the present application includes utilizing a conductive layer, such as the capacitor electrode or a portion of the first electrode, to form a storage
10 capacitor in each pixel, wherein the conductive layer is at the same lower plane as where the first electrodes are and could be formed together with the first electrodes and the scan lines. Therefore, whether the conductive layer, i.e. the capacitor electrode, is electrically connected to the first electrode or not, it works to form a storage capacitor with the second electrode and the insulation layer between the
15 capacitor electrode and the second electrode, which meet the spirit of the present application. However, when the capacitor electrode is electrically connected to the first electrode, it is also called as a first electrode offshoot. Accordingly, applicant believes species A and B are not patentably distinct and claim 13 is a generic claim because the contents of claims 1-12 and 25-27 are included in claim 13. Therefore,
20 consideration of the amendments and withdrawal of the restriction requirement is respectfully requested.*

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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Sincerely yours,



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